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Attorneys for Defendant
POWEREX CORP., a Canadian Corporation

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA DEPARTMENT OF
WATER RESOURCES

Plaintiff,

vs.

POWEREX CORP., a Canadian Corporation,
dba POWEREX ENERGY CORP., and DOES
1 - 100,

Defendants.

) Case No. 2:05-CV-00518-GEB-PAN
)
)
) **STIPULATED REQUEST AND**
) **PROPOSED ORDER TO EXTEND THE**
) **DEADLINE FOR POWEREX CORP. TO**
) **FILE AND SERVE ITS RESPONSE TO**
) **PLAINTIFF'S FIRST AMENDED**
) **COMPLAINT [LOCAL RULE 6-144]**

) Complaint filed: February 10, 2005

Pursuant to Local Rule 6-144, Defendant Powerex Corp. by and through its counsel of
record, respectfully requests the Court to extend the deadline for it to file and serve its response

1 to Plaintiff's First Amended Complaint until 15 days after the Court issues its Order on
2 Plaintiff's motion to remand this case to Sacramento County Superior Court. Plaintiff's First
3 Amended Complaint was filed and served on Powerex Corp. on November 9, 2005, and
4 Plaintiff's Motion to Remand this case to Sacramento County Superior Court is scheduled to be
5 heard on December 19, 2005 at 9:00 a.m. in Department 10 of this Court. Plaintiff California
6 Department of Water Resources stipulates to the extension of time for Powerex Corp. to file its
7 response to the Amended Complaint.

8 Counsel for all parties agree that extending the deadline for Powerex Corp. to respond to
9 Plaintiff's First Amended Complaint as requested hereinabove would promote judicial economy
10 and be in the best interests of both the parties and the Court given the fact that, should this matter
11 be remanded to Sacramento County Superior Court following the December 19, 2005 hearing on
12 Plaintiff's Motion to Remand, it will not be necessary for Defendant to file any responsive
13 pleading in this Court.

14 Based on the foregoing, the parties respectfully request that the Court issue an Order
15 extending the deadline for Powerex Corp. to file and serve its response to Plaintiff's First
16 Amended Complaint until 15 days after this Court issues its ruling on Plaintiff's motion to
17 remand the matter to Sacramento County Superior Court.

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IT IS SO STIPULATED.

Dated: November 28, 2005

GURNEE & DANIELS LLP

By: /s/Steven H. Gurnee
STEVEN H. GURNEE
JOHN A. MASON
GURNEE & DANIELS LLP

J. CLIFFORD GUNTER III
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Attorneys for Defendant Powerex Corp.

Dated: November 28, 2005

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Supervising Deputy Attorney General

/s/Annadel A. Almendras
ANNADEL A. ALMENDRAS
Deputy Attorney General

Attorneys for California Department of
Water Resources

IT IS SO ORDERED.

DATED: December 1, 2005

/s/ Garland E. Burrell, Jr.
GARLAND E. BURRELL, JR.
United States District Judge